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Agency Name Public Service Commission of South Carolina	1. Chapter Number 103	2. Date of Filing February 10, 2006
3. Regulation Number 26 S.C. Code Ann. Regs. 103-500 26 S.C. Code Ann. Regs. 103-700	4. Subject of Regulation Sewerage Utilities and Water Utilities	

5. Statutory Authority
S.C. Code Section 58-3-140 (1976 & Supp.
2005)

6. Type of Filing

____ NOTICE OF GENERAL PUBLIC INTEREST

____ NOTICE OF DRAFTING

X PROPOSED REGULATION

____ EMERGENCY REGULATION

____ FINAL REGULATION FOR GENERAL ASSEMBLY REVIEW

____ RESUBMISSION OF WITHDRAWN REGULATION FOR GENERAL ASSEMBLY REVIEW

____ FINAL REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW

5. For Additional Information, Contact Jocelyn Boyd and David Butler		6. Telephone Number 803-896-5100
7. Typed Name of Official Deputy Clerk and Senior Counsel, respectively	8. Signature of Official <i>Jocelyn Boyd</i> <i>David Butler</i>	9. Date February 10, 2006

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Document No. _____
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
CHAPTER 103
Statutory Authority: 1976 Code Section 58-3-140

26 S.C. Code Ann. Regs. 103-500, *et. seq.* Sewerage Utilities
26 S.C. Code Ann. Regs. 103-700, *et. seq.* Water Utilities

Preamble:

In 2004, the General Assembly passed Act No. 175 which restructured the Public Service Commission. This Act modified the structure of the Agency and its functions and created the Office of Regulatory Staff. Several duties of the Public Service Commission were transferred to the Office of Regulatory Staff on January 1, 2005. The purpose of the revisions to 26 S.C. Code Ann. Regs. 103-500, *et. seq.* (1976 & Supp. 2005) and 26 S.C. Code Ann. Regs. 103-700 *et. seq.* (1976 & Supp. 2005) is to amend Articles 5 and 7 to conform to the new standards set out by Act 175 of 2004.

Section-by-Section Discussion

- 103-501 This Section is amended to conform to Act No. 175 of 2004 and is amended to allow the Commission more flexibility in granting a waiver of its regulations.
- 103-502 This Section is modified to conform numbering, to conform to Act No. 175 of 2004, to alphabetize this section covering definitions, and to add "wastewater" terminology.
- 103-503 This Section is amended to conform to Act No. 175 of 2004.
- 103-504 This Section is amended to conform to Act No. 175 of 2004.
- 103-505 This Section is amended to conform to Act No. 175 of 2004.
- 103-506 This Section is amended to conform to Act No. 175 of 2004.
- 103-510 This Section is amended to conform to Act No. 175 of 2004.
- 103-511 This Section is amended to require retention of records related to a rate adjustment.
- 103-512 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.1 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.2 This Section is being deleted because certain information will no longer be filed at the Commission.
- 103-512.2.1 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.2.2 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.2.3 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.2.4 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.2.5 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.3 This Section is amended to conform to Act No. 175 of 2004.
- 103-512.3.1 This Section is amended to set the amount of bond based on verified expenses of the utility for the preceding twelve-month period and conforms the regulation to Act No. 175 of 2004.
- 103-512.3.3 This Section is amended to conform to Act No. 175 of 2004.
- 103-513 This Section is amended to conform to Act No. 175 of 2004.
- 103-514 This Section is amended to conform to Act No. 175 of 2004.
- 103-515 This Section is amended to conform to Act No. 175 of 2004.
- 103-517 This Section is amended to conform to Act No. 175 of 2004.
- 103-530 This Section is amended to conform to Act No. 175 of 2004.
- 103-531.6 This Section is amended to conform the regulation to existing law governing unclaimed deposits.

103-532.3 This Section is amended to allow for payment by certified funds and defines “good cause.”

103-532.4 This Section is amended to reduce disconnection fees when disconnection has been made by the use of an elder valve in conformance with Commission Order No. 1994-367.

103-532.5 This Section is amended to conform to Act No. 175 of 2004.

103-534 This Section is amended to conform to Act No. 175 of 2004.

103-535 This Section is amended by deleting the word “and” and adding the word “or.” “Section 1” of this Section is being deleted because it is duplicative of Section 103-535.1. Additionally, Section 103-535(O) is amended to conform existing state law. Finally, Section 103-535(Q) is amended to delete duplicative language.

103-535.1 This Section is amended to conform to Act No. 175 of 2004 and updates the regulation by modifying the name of a division within the Department of Health and Environmental Control.

103-537 This Section is amended to conform to Act No. 175 of 2004.

103-538 This Section is amended to conform to Act No. 175 of 2004 and specifies that service shall not be discontinued if the complainant requests in writing a hearing before the Commission.

103-539 This Section is amended to conform to Act No. 175 of 2004.

103-541 This Section is amended to conform to Act No. 175 of 2004.

103-551 This Section is amended by modifying the name of a Department of Health and Environmental Control bureau.

103-553 This Section is amended to conform to Act No. 175 of 2004.

103-555 This Section is modified to conform to standard engineering practices.

103-556 This Section is amended to conform to Act No. 175 of 2004.

103-561 This Section is amended to conform to Act No. 175 of 2004.

103-562 This Section is amended to conform to Act No. 175 of 2004.

103-563 This Section is amended to conform to Act No. 175 of 2004.

103-571 This Section is amended to conform to Act No. 175 of 2004.

103-581 This Section is amended to conform to Act No. 175 of 2004 and states that the utility shall give reasonable assistance to the Commission and the ORS in the determination of suitable means of accident prevention.

103-701 This Section is amended to conform to Act No. 175 of 2004 and is amended to allow the Commission more flexibility in granting a waiver of its regulations.

103-702 This Section is modified to conform numbering, to conform Act No. 175 of 2004, and to alphabetize this section governing definitions.

103-703 This Section is amended to conform to Act No. 175 of 2004.

103-704 This Section is amended to conform to Act No. 175 of 2004.

103-705 This Section is amended to conform to Act No. 175 of 2004.

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103-710 This Section is amended to conform to Act No. 175 of 2004.

103-711 This Section is amended to require retention of records related to a rate adjustment.

103-712 This Section is amended to conform to Act No. 175 of 2004.

103-712.1 This Section is amended to conform to Act No. 175 of 2004.

103-712.2 This Section is amended to conform to Act No. 175 of 2004.

103-712.2.1 This Section is amended to conform to Act No. 175 of 2004.

103-712.2.2 This Section is amended to conform to Act No. 175 of 2004.

103-712.2.3 This Section is amended to conform to Act No. 175 of 2004.

103-712.2.4 This Section is amended to conform to Act No. 175 of 2004 and specifies that location of cross-connection and control devices be shown on operating area maps.

103-712.2.5 This Section is amended to conform to Act No. 175 of 2004.

103-712.3 This Section is amended to conform to Act No. 175 of 2004.

103-712.3.1 This Section is amended to set the amount of bond based on verified expenses of the utility for the preceding twelve-month period and conforms the regulation to Act No. 175 of 2004.

103-712.3.3 This Section is amended to conform to Act No. 175 of 2004.

103-713 This Section is amended to conform to Act No. 175 of 2004.

103-714 This Section is amended to conform to Act No. 175 of 2004.

103-715 This Section is amended to conform to Act No. 175 of 2004.

103-719 This Section is amended to conform to Act No. 175 of 2004.

103-724 This Section is amended to conform to Act No. 175 of 2004.

103-730 This Section is amended to conform to Act No. 175 of 2004.

103-731.6 This Section is amended to conform the regulation to existing law governing unclaimed deposits.

103-732.4 This Section is amended to allow for payment by certified funds and defines “good cause.”

103-732.7 This Section is amended to make a typographical correction.

103-734 This Section is amended to conform to Act No. 175 of 2004.

103-735 This Section is amended to allow the Commission or the Department of Health of Environmental Control to make a determination as to whether a dangerous or hazardous condition exist and conforms the language in this section to Regulation 103-535 and conforms the regulation to Act No. 175 of 2004.

103-735.1 This Section is amended by replacing “telephone” with the word “water” and conforms the regulation to Act No. 175 of 2004.

103-737 This Section is amended to conform to Act No. 175 of 2004.

103-738 This Section is amended to conform to Act No. 175 of 2004 and specifies that service shall not be discontinued if the complainant requests in writing a hearing before the Commission.

103-739 This Section is amended to conform to Act No. 175 of 2004.

103-743 This Section is amended to conform to Act No. 175 of 2004.

103-752 This Section is amended indicate the latest editions for acceptable references for standards of accepted good practices for water utilities.

103-756 This Section is amended to conform to Act No. 175 of 2004.

103-760 This Section is amended to conform to Act No. 175 of 2004.

103-761 This Section is amended to conform to Act No. 175 of 2004.

103-763 This Section is amended to conform to Act No. 175 of 2004.

103-771 This Section is amended to conform to Act No. 175 of 2004.

103-772 This Section is amended to conform to Act No. 175 of 2004.

103-773 This Section is amended to conform to Act No. 175 of 2004.

103-781 This Section is amended to conform to Act No. 175 of 2004 and states that the utility shall give reasonable assistance to the Commission and the ORS in the determination of a suitable means of accident prevention.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may submit written comments to the Public Service Commission, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Please reference Docket Number 2006-9-W/S. To be considered, comments must be received no later than 4:45 p.m. on March 30, 2006. Interested members of the public and the regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the Public Service Commission on **April 27, 2006, at 10:30 a.m.** in the Commission’s Hearing Room, 101 Executive Center Drive, Columbia, South Carolina 29210.

Preliminary Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions.

Statement of Need and Reasonableness:

This statement of need and reasonableness was determined pursuant to S.C. Code Ann. Section 1-23-115(C)(1) through (3) and (9) through (11).

DESCRIPTION OF REGULATION: 26 S.C. Code Ann. Regs. 103-500, *et. seq.* and 26 S.C. Code Ann. Regs. 103-700, *et. seq.*

Purpose: 2004 S.C. Acts 175 modified the structure of the Public Service Commission and its functions and created the Office of Regulatory Staff. Several duties of the Commission Staff were transferred to the Office of Regulatory Staff on January 1, 2005. The purpose of the revisions to 26 S.C. Code Ann. Regs. 103-500, *et. seq.* and 26 S.C. Code Ann. Regs. 103-700, *et. seq.* is to revise the Commission's sewerage and water regulations to conform to Act No. 175 of 2004.

Legal Authority: S.C. Code Ann. Section 58-3-140 (Supp. 2005)

Plan for Implementation: The proposed amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

Due to the major restructuring of the Public Service Commission and its governing statutes, the Commission regulations should be consistent with the recent revisions in Title 58 of the South Carolina Code. The proposed changes are intended to conform Articles 5 and 7 to the current law in the South Carolina Code.

DETERMINATION OF COSTS AND BENEFITS:

Although costs related to amending Articles 5 and 7 are minimal, the benefits include regulations that conform with Title 58 of the South Carolina Code.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

The amended regulations will have no detrimental effect on the environment and public health if the regulation is not implemented.

STATEMENT OF RATIONALE:

The purpose of the revisions to 26 S.C. Code Ann. Regs. 103-500, *et. seq.* and 26 S.C. Code Ann. Regs. 103-700, *et. seq.* is to conform the Public Service Commission's sewerage and water utilities' regulations with Act No. 175 of 2004. There was no scientific or technical basis relied upon in the development of these regulations.

Text:

ARTICLE 5
SEWERAGE UTILITIES
SUBARTICLE 1
GENERAL

103-501. Application of Rules.

1. Jurisdiction. These rules shall apply to any person, firm, partnership, or association, establishment, corporation (except public utilities owned or operated by any municipality or agency thereof and/or any sewer authority specifically exempted by statute) which is now or may hereafter become engaged as a public utility in the business of collecting or treating sewerage for any sewerage customer within the State of South Carolina.

2. Purpose. These rules are intended to define good practice. They are intended to insure adequate and reasonable service. The Utilities shall assist the Commission and the ORS in the implementation of these rules and regulations.

3. Waiver of Rules. In any case where compliance with any of these rules and regulations introduces unusual difficulty or where circumstances indicate that a waiver of one or more rules or regulations is otherwise appropriate, such rules or regulations may be waived by the Commission upon a finding by the Commission that such waiver is not contrary to the public interest.

103-502. Definitions.

103-502.1. Commission.

The Public Service Commission of South Carolina.

103-502.2. Customer.

Any person, firm, partnership, or corporation, or any agency of the Federal, State, or Local Government, being supplied with service by a utility under the jurisdiction of this Commission. Customers shall be classified for purposes of applying rates as "residential", "commercial", or "industrial".

103-502.3. Customer Main Extension Fee.

A fee paid by a customer under a contract entered into by and between the utility and its customer providing terms for the extension of the utility's mains to service the customer.

103-502.4. Customer Service Line.

The portion of pipe on the customer's premises which transports sewerage from the customer's premises to the "utility service line".

103-502.5. Homeowners Association.

An association of lot owners located in a particular subdivision or development incorporated under the laws of this State as a non-profit corporation, including as one of its purposes, the operation of a sewerage system to serve the particular subdivision or development. Each homeowners association, prior to the commencement of operations of a sewerage system, shall file with the Commission and provide a copy to the ORS (a) a certified copy of its certificate of incorporation; (b) a copy of the corporation's bylaws; (c) a copy of any declaration of covenants, conditions and restrictions on real property in the subdivision or development filed in conjunction with the formation of the homeowners association; (d) a copy of the permit or authorization from the Department of Health and Environmental Control issued to the homeowners association to operate the system, and (e) copies of a statement signed by each lot owner disclosing that the sewerage services in the subdivision are provided by a non-profit homeowners association, in which each lot owner is a voting member, and that an appropriate assessment to meet operating expenses of the Utility must be paid by each lot owner.

103-502.6. Main.

A sewerage pipe owned, operated, or maintained by a utility, which is used to transport sewerage, but does not include the "utility service line", or "customer service line".

103-502.7. Premises.

A piece or tract of land or real estate, including buildings and other appurtenances thereon.

103-502.8. Rate.

The term "rate", when used in these rules and regulations, means and includes every compensation, charge, toll, rental, classification, or availability fee, or any of them, including tap fee, or other non-recurring charges demanded, observed, charged, or collected by any utility for any service offered by it to the public, and any rules, regulations, practices, or contracts affecting any such compensation, charge, toll, rental, classification, or availability fee. An application for approval of any rate schedule will not be accepted for filing under S.C. Code Ann., § 58-5-240 unless accompanied by the information specified under 103-512(4).

103-502.9. The Office of Regulatory Staff.

The executive director and employees of the Office of Regulatory Staff.

103-502.10. Tap Fee.

A non-recurring, non-refundable charge related to connecting the customer to the utility's system which includes the cost of installing the utility's service line from the main to the customer's premises and a portion of plant capacity which will be used to provide service to the new customer. Plant capacity shall be computed by using the Guide Lines for Unit Contributory Loadings to Wastewater Treatment Facilities (1972) to determine the single family equivalency rating. Any privately-owned corporation, firm, partnership, or individual empowered by contract, or otherwise, to collect a tap fee from a customer for the provision of sewerage service to that customer shall be considered a utility, and shall obtain Commission approval prior to collecting tap fees, or any other rates for sewerage service. An application for approval of any rate change shall not be considered unless the filing contains appropriate exhibits setting forth all cost criteria

justifying the tap fee, setting forth the portion of the tap fee related to installing the service line and the portion related to plant capacity.

103-502. 11. Utility.

Every person, firm, partnership, association, establishment or corporation furnishing or supplying in any manner sewerage collection and/or sewerage disposal service to the public or any portion thereof, for compensation. A "homeowners association", as defined in 3 of this rule and subject to the requirements set forth herein, upon Commission order, may be found not to be a utility.

103-502.12. Utility Service Line.

The portion of pipe which runs from the customer's premises to the main, and which receives sewerage from the "customer service line".

103-502. 13. Sewerage or Wastewater Plant.

Plant and property owned by a utility, used in its business operations of providing sewerage collection and/or sewerage disposal service to its customers.

103-503. Authorization for Rates and Charges.

A. No schedule of rates, contracts, or rules and regulations, shall be changed until after the proposed change has been approved by the Commission.

B. All rates, contract forms, and rules and regulations, proposed to be put into effect by any utility as defined in 103-502(2) shall be first approved by this Commission before they shall become effective, unless they are exempt from such approval by statute or other provision of law.

C. No rate, contract, or rule and regulation of any utility under the jurisdiction of this Commission shall be deemed approved or consented to by the mere filing of a schedule, or other evidence thereof, in the offices of the Commission.

D. Each customer within a given classification (i.e., residential, commercial, or industrial) shall be charged the same approved rate, including tap fees, as every other customer within that classification, unless reasonable justification is shown for the use of a different rate, and a contract or tariff setting for the different rate has been filed and approved by the Commission through the issuance of an order or directive.

103-504. Territory and Certificates.

No existing public utility supplying wastewater disposal to the public, or any individual, corporation, partnership, association, establishment, or firm undertaking the construction or acquisition of a utility, shall hereafter sell, acquire, transfer, begin the construction or operation of any utility system, or of any extension thereof, by the sale of stock or otherwise, without first obtaining from the commission a certificate that the sale, transfer, or acquisition is in the public interest, or that public convenience and necessity require or will require construction or operation of any utility system, or extension. Such certificate shall be granted only after the applicable information set forth in Subarticle 2, 103-510 et seq., has been filed with the Commission and provided to the ORS, and after notice has been given to the Department of Health and Environmental Control and to other interested wastewater utilities, and to the public, and after

due hearing. Provided, however, that this regulation shall not be construed to require any existing utility to secure a certificate for an extension within or to territory already served by it, necessary in the ordinary course of its business. But, if any utility in constructing or extending its lines, plant or system unreasonably interferes, or is about to unreasonably interfere, with the service or system of any other utility, the commission may make such order, and prescribe such terms and conditions, in harmony with this regulation, as are just and reasonable.

103-505. Utility Rules and Regulations.

Each utility shall adopt rules, regulations, operation procedure policies, terms and conditions, etc., as may be necessary in the operation of the Utility. Such service conditions and/or regulations shall be approved by and filed with the Commission and provided to the ORS.

103-506. Security Issues.

A. No utility shall issue any securities without the approval of the Commission. This rule shall not apply to any issue of securities payable within one year from the date of issue, except in case of subsequent issues made to refund such short-term obligations; but such short-term obligations may be renewed by similar obligations without the approval of the Commission for an aggregate period not exceeding two years.

B. Any utility desiring to issue any securities may apply to the Commission for approval of the proposed issue by filing an application with the Commission and serving a copy on the ORS together with a statement verified by (1) its president and secretary or other appropriate officers; (2) two of its incorporators; or (3) by its owner or owners, if it is unincorporated, setting forth:

- (a) The amount and character of securities proposed to be issued;
- (b) The purpose for which they are to be issued;
- (c) The consideration for which they are to be issued;
- (d) The description and estimated value of the property, if any, to be acquired through the proposed issue;
- (e) The terms and conditions of the issuance; and
- (f) The financial condition of the utility and its operations so far as relevant.

C. The Commission shall determine whether the purpose of the issue is proper; shall value the property or services, if any, to be acquired by the issue; shall find and determine the amount of such securities reasonably necessary for the purpose for which they are to be issued. This determination shall follow such investigation as may be necessary, wherein the utility and any other interested party shall be entitled to be heard.

D. To the extent that the Commission may approve the proposed issue, it shall grant to the utility a Certificate of Authority stating the character of the securities, the amount reasonably necessary for the purpose for which they are to be issued, and the value of any property or services, if any, to be acquired. This certification shall not impose or imply any guaranty or obligation as to such securities on the part of the Commission.

SUBARTICLE 2

RECORDS AND REPORTS

103-510. Location of Records and Reports.

All records required by these rules are necessary for the administration thereof, shall be kept within an office located in this State, unless otherwise specifically authorized by the Commission. These records shall be available for examination by the ORS or its authorized representatives at all reasonable hours.

103-511. Retention of Records.

Unless otherwise specified by the Commission, or by regulations or Commission Orders governing specific activities, all records required by these rules shall be preserved for two years. All records related to a test year used in a rate adjustment proceeding shall be preserved for two years or throughout the period that the Order by the Public Service Commission concerning the rate adjustment may be appealed, whichever is later. Furthermore, the utility shall maintain beyond this two-year period sufficient records necessary to verify and substantiate all requirements included in these rules.

103-512. Data to be Filed with the Commission and provided to the ORS.

103-512.1. Annual Report.

Each utility operating in the State shall file an annual report with the Commission and provide a copy to the ORS giving accounting and other information as the Commission orders. The Commission or the ORS will provide an annual report form upon request. If the utility's books are maintained on a calendar year, the annual report must be filed on or before April 1st of each year. If the utility uses a fiscal year other than December 31st, the annual report should be filed within three months after the end of the fiscal year.

103-512.2. 1. Tariff.

A copy of each schedule of rates and charges for service, together with the applicable riders, including any rules and regulations, or terms and conditions describing policies and practices of rendering service shall be provided to the Commission and the ORS.

103-512.2. 2. Special Contract Forms.

A copy of each special contract for service, including aid to construction agreements, and rate agreements shall be provided to the Commission and the ORS.

103-512.2. 3. Customer Bill.

A copy of each type of customer bill form, which shall include the information which is normally shown on a customer's bill for service shall be provided to the ORS.

103-512.2. 4. Operating Area Maps. A map of the utility's operating area.

This map shall be revised and submitted to the ORS annually unless such revision is unnecessary,

in which event the utility shall notify the ORS that the map on file is current. The map should show:

- (a) Location of transmission lines, pumping stations, waste treatment plants and discharge points;
- (b) Mains by size;
- (c) Service area clearly drawn on operating area map using proper surveying standards;
- (d) Names of all communities (post offices) served; and
- (e) Capacity of the system.

103-512.2. 5. Authorized Utility Representative.

The utility shall advise the Commission and ORS of the name, title, address, and telephone number of the person who should be contacted in connection with:

- (a) General management duties;
- (b) Customer relations (complaints);
- (c) Engineering operations; and
- (d) Emergencies during non-office hours.

103-512.3. Performance Bond.

Prior to operating, maintaining, acquiring, expanding or improving any utility system, for which Commission approval is required, the utility shall have on file with the Commission and provide a copy to the ORS a performance bond with sufficient surety using a format prescribed by the Commission.

103-512.3. 1. Amount of Bond.

The amount of bond shall be based on, but not limited to, the total amount of the following categories of expenses for twelve months: Operation and Maintenance Expenses, General and Administrative Expenses, Taxes Other Than Income Taxes, Income Taxes, and Debt Service including Interest Expenses. The minimum amount of the bond shall be \$100,000 and the maximum amount of the bond shall be \$350,000 based on the verified expenses of the utility for the preceding twelve-month period. A bond shall be required for each water and wastewater provider under the jurisdiction of the Public Service Commission. A certification that the face amount of the bond on file with the Commission complies with the provisions of 103-512.3.1 of this rule shall be filed with the annual report required by 103-512.1 of this rule. The ORS shall review the annual reports and certifications and determine whether the present bond of the utility accurately reflects the expenses of the utility. Based upon the expenses of the utility as submitted in the annual report and as reviewed and adjusted by the ORS, the ORS shall make recommendations for increasing or reducing the amount of the bond within the minimum and maximum limits as prescribed by statute.

103-512.3. 2. Sureties.

Sufficient surety may be any duly licensed bonding or insurance company authorized to do business in this State. A corporate surety, other than such a bonding or insurance company, shall not be considered sufficient surety. Sufficient surety may be any individual, as stockholder, partner, sole owner, etc., in the utility, so long as the individual surety's net worth is at least twice the face amount of the performance bond.

103-512.3. 3. Financial Statement.

When any individual acts as surety, he shall file with the Commission and provide a copy to the ORS annually a financial statement verified by said surety showing the individual surety's personal assets, liabilities, and net worth. The Commission may accept a verification of the financial statement in a format prescribed by the Commission.

103-513. Inspection of Plant and Equipment.

A. Each utility shall, upon request of the ORS, provide to the ORS a statement regarding the condition of the waste treatment facility and the adequacy of the treatment provided by the facility as determined by the Department of Health and Environmental Control and any other information concerning the plant, equipment, facilities and service in such a form as the Commission may require or as the ORS may request.

B. Each utility shall keep sufficient records to give evidence of compliance with its inspection program as set forth in Subarticle 6, 103-560 et seq.

103-514. Interruption of Service/Violation of Rules.

A. Each utility shall keep a record of any condition resulting in any interruption of service affecting its entire system or major division thereof, or any single community or an important division of a community, including a statement of the time, duration, and cause of any such interruption. The ORS should be notified of any interruption lasting more than six hours as soon as it comes to the attention of the utility and a complete report made after restoration of service.

B. Each utility shall make all reasonable efforts to prevent interruptions of service and, when such interruptions occur, shall endeavor to re-establish service with the shortest possible delay consistent with the safety of its consumers and the general public. Scheduled interruptions shall always be preceded by adequate notice to all affected customers.

C. All Wastewater Utilities under the jurisdiction of the Commission shall file with the ORS in writing a notice of any violation of PSC or DHEC rules which affect the service provided to its customers. This notice shall be filed within 24 hours of the time of the inception of the violation and shall detail the steps to be taken to correct the violation, if violation is not corrected at time of occurrence. The Company shall notify the ORS in writing within 14 days after the violation has been corrected.

103-515. Accidents.

Each utility shall, as soon as possible, report by telephone to the ORS each accident happening in connection with the operation of its property, facilities, or service, wherein any person shall have been killed or seriously injured or whereby any serious property damage shall have been caused. Such first report shall later be supplemented by a full statement provided to the ORS of the cause

and details of the accident and the precautions, if any, which have been taken to prevent similar accidents.

103-517. Accounting Procedures.

All books and records of the utility shall be maintained in accordance with the NARUC System of Accounts for Class A, B and C Sewerage Utilities to the extent applicable. Such records must be made available for examination by the ORS or its authorized representatives at all reasonable hours. Full cooperation will be provided by the utility during rate adjustment audits or compliance audits conducted by the ORS or its representatives.

SUBARTICLE 4

CUSTOMER RELATIONS

103-530. Customer Information.

Each utility shall:

A. Maintain up-to-date maps, plans, or records of its entire force main collection systems, with such other information as may be necessary to enable the utility to advise prospective customers, and others entitled to the information, as to the facilities available for serving customers within its operating area.

B. Notify each affected customer in writing as prescribed by the Commission of any proposed change in rates and charges. A certification that the above notice requirements has been met shall be furnished to the Commission by the utility prior to the public hearing.

C. Provide that a complete schedule, contract forms, rules and regulations, etc., as filed with the Commission and provided to the ORS, shall also be on file in the local offices of the utility and shall be open to the inspection by the public.

D. Assist prospective customers in selecting the most economical rate schedule applicable.

E. Provide adequate means (telephone, etc.) whereby each customer can contact an authorized representative of the utility at all hours in cases of emergency or unscheduled interruptions of service.

F. Notify any customer making a complaint recorded pursuant to R.103-516 that the utility is under the jurisdiction of the Commission and that the customer may notify the ORS of his complaint.

G. Inform each prospective customer from whom a deposit may be required of the provisions contained in R.103-531 and its subsections.

H. Inform each prospective customer that the customers service line and plumbing shall conform to all local plumbing codes, and in the absence of such codes shall conform to the Southern Standard Plumbing Code.

103-531.6. Unclaimed Deposits.

A record of each unclaimed deposit must be maintained for at least one year during which time the sewer utility shall make a reasonable effort to return the deposit. Unclaimed deposits, together with accrued interest, shall be turned over to the South Carolina State Treasurer as prescribed by law.

103-532.3. Payment by Check.

The utility at its option for good cause may refuse to accept a check tendered as payment on a customer's account and require payment in cash or other certified funds. "Good cause must be justified by a sewerage utility by evidencing a credit history problem or by evidencing insufficient funds with or of the utility customer or applicant. For the purposes of this regulation, the sewerage utility may not consider indebtedness that was incurred by the customer or any member of his household more than six (6) years prior to the time of application."

103-532.4. Charges for Disconnection and Reconnection.

Whenever service is disconnected for violation of rules and regulations, nonpayment of bills or fraudulent use of service, the utility shall not be required to reconnect such service until any arrearages have been paid and a reconnection fee of two-hundred-fifty dollars (\$250.00) has been paid to the utility. A disconnection fee can be reduced to thirty-five dollars (\$35.00) when disconnection has been made by the use of an elder valve.

103-532.5. Deferred Payment Plan.

The utility shall provide for the arrangement of a deferred payment plan to enable a residential customer to make payment by installments where such customer is unable to pay the amount due for service. The deferred payment plan shall require the affected customer to maintain his account current and pay not less than 1/6 of the outstanding balance for a period not to exceed six months. The outstanding balance may include the late payment charge authorized by R.103-532.5. Service to such customer shall not be terminated unless the utility has informed the customer that such deferred payment plan is available. A deferred payment plan is any agreement to extend or defer a payment cut-off date by more than 5 work days. If a customer fails to conform to the terms and conditions of such deferred payment plan, the utility may terminate service upon fifteen days written notice, with copies of such termination notice mailed to DHEC and the ORS.

103-534. Application for Service.

A. All applications for sewerage service may be made orally or in writing.

B. The accepted application shall constitute a contract between the company and the applicant, obligating the applicant to pay for sewerage service in accordance with the utility's tariff currently on file with the Public Service Commission and the ORS, and to comply with rules and regulations.

C. When a customer desires to have his service terminated, he must notify the utility and such notification may be orally or in writing. The utility shall be allowed a reasonable period of time after the receipt of such notice to terminate service.

103-535. Denial or Discontinuance of Service.

Service may be refused or discontinued for any of the reasons listed below. Unless otherwise

stated, the customer shall be allowed a reasonable time in which to comply with the rule before service is discontinued.

A. Without notice in the event of a condition determined by the utility, the Commission or the South Carolina Department of Health and Environmental Control to be hazardous or dangerous.

B. In the event of customer use of equipment in such a manner as to affect adversely the utility's service to others.

C. In the event of unauthorized use of the utility's service.

D. For customer tampering with equipment furnished and owned by the utility. The customer shall make every reasonable effort to prevent tampering and shall notify the utility immediately of any tampering with damage to, or removal of any equipment.

E. For violation of and/or non-compliance with these rules and regulations.

F. For failure of the customer to fulfill his contractual obligations for service and/or facilities subject to regulation by the Commission.

G. For failure of the customer to permit the utility reasonable access to its equipment.

H. For non-payment of any amounts due for connection charges and/or for service rendered provided that the utility has made a reasonable attempt to effect collection and has given the customer the proper notice as required by R.103-535.1.

I. For molesting or tampering with any service or sewerage pipe, or for illegally making connection into any sewerage line for the disposal of drainage surface waters.

J. For failure of the customer to provide the utility with a deposit as authorized by R.103-531.

K. For failure of the customer to furnish permits, certificates, and/or rights of way, as necessary to obtaining service, or in the event such permissions are withdrawn or terminated.

L. No sewer utility shall be required to furnish its sewerage service or to continue its service to any applicant who, at the time of such application, is indebted or any member of his household is indebted, under an undisputed bill to such sewer utility company for sewerage service previously furnished such applicant or furnished any other member of the applicant's household. However, for the purposes of this regulation, the sewer utility may not consider any indebtedness which was incurred by the applicant or any member of his household more than six (6) years prior to the time of application.

M. The utility may discontinue a customer's service should that customer be in arrears on an account for service at another premises unless the customer pays a reasonable amount of his arrears account and makes reasonable arrangement with the utility to amortize the balance of such past due or arrears account over a reasonable length of time, not to exceed twelve months.

N. For the reason that the customer's use of the utility's service conflicts with, or violates, orders, ordinances or laws, of the State or any subdivision thereof, or of the Commission.

O. In the case of a landlord/tenant relationship where the tenant is the customer, the utility may,

to the extent permitted by law, require the landlord to execute, or the landlord may voluntarily execute, an agreement wherein such landlord agrees to be responsible for all charges billed to that premises in accordance with the approved tariffs for that utility and the Rules of the Commission, and said account shall be considered the landlord's and tenant's account. In the event the landlord refuses to execute such an agreement in circumstances where the utility is permitted under law to require such an agreement, the utility may not discontinue service to the premises unless and until the tenant becomes delinquent on his account or until the premises are vacated. The utility may discontinue service pursuant to R.103-535.1 if the account is delinquent or may discontinue service at the time the premises are vacated and the utility shall not be required to furnish service to the premises until the landlord has executed the agreement, and paid any reconnection charges.

P. No utility shall be required to furnish, or continue to furnish its sewerage service to any premises to which the utility has not inspected the service connection, provided however, if the utility has waived its right to inspect the service connection, it may not refuse to furnish nor refuse to continue service to the premises.

Q. For nonpayment of any connection charge properly imposed by the utility and owed by the customer provided that the utility has made a reasonable attempt to effect collection and has given the customer 30 days written notice, sent by certified mail to the customer's billing address, with a copy forwarded to the Commission. A connection charge owed by a third party or a previous occupant or owner of premises is not deemed to be owed by the current customer, and that current customer's service may not be disconnected under such circumstances.

103-535.1. Notice Prior to Discontinuance of Service.

Before any sewerage service may be discontinued, the utility must give thirty (30) days written notice to the customer, by certified mail, unless R.103-535.A is applicable, with copies forwarded to the appropriate county health department and the ORS. At the expiration of the thirty (30) day period, the utility shall post a second notice by certified mail to the customer advising that in not less than 10 days nor more than 30 days, his service may be discontinued at any time without further notice. After the physical disconnection of any sewerage service, the Division of Environmental Health of the South Carolina Department of Health and Environmental Control and the ORS shall immediately be notified of the action and the name and address of the customer. Service will be terminated only on Monday through Thursday between the hours of 8:00 A.M. and 4:00 P.M., unless provisions have been made to have someone available to accept payment and reconnect service.

103-537. Right of Access.

A. The authorized agents of the utility shall have the right of access to the customer's premises, at reasonable hours, for the purpose of inspecting the customer's sewerage connections and for any other purpose which is proper and necessary in the conduct of the utility's business.

B. When a sewerage line which is property of a utility is on the property of a resident in the utility's service area which is on file with the ORS, the resident shall provide reasonable access to the utility for maintenance thereof. Any damage done to the property by the utility shall be corrected by the restoration of comparable grass, shrubbery, and trees from nursery stock to conform with the condition before the maintenance process began.

103-538. Customer Complaints.

A. Complaints concerning the charges, practices, facilities, or service of the utility shall be investigated promptly and thoroughly. The utility shall keep such records of customer complaints as will enable it and ORS to review and analyze the utility's procedures and actions. All customer complaints will be processed pursuant to R.103-516 and R.103-530.F.

B. When the ORS has notified the utility that an oral complaint has been received concerning a specific account and such complaint has been received by the ORS before service is terminated, the utility shall not discontinue the service of that account until the ORS's investigation is completed and the results have been received by the utility. Service shall not be discontinued if the complainant requests in writing a hearing before the Commission.

103-539. Tariff's Rules and Regulations.

A copy of the utility's tariffs as filed with this Commission and provided to the ORS will be on file in the local business offices of the utility and shall be available for public inspection.

103-541. Contracts.

No utility shall execute or enter into any agreement or contract with any person, firm, partnership, or corporation or any agency of the Federal, State or local government which would impact, pertain to, or effect said utility's fitness, willingness, or ability to provide sewer service, including but not limited to the collection or treatment of said wastewater, without first submitting said contract in form to the Commission and the ORS and obtaining approval of the Commission.

SUBARTICLE 5

ENGINEERING

103-551. Design and Construction Requirements

The design and construction of the sewerage plant shall conform to the requirements of the Bureau of Water of the South Carolina Department of Health and Environmental Control.

103-553. Adequacy of Sewerage Plant.

The capacity of the utility's plant for the collection, transmission, treatment and disposal of sewage, sewage effluent and other removed substances must be sufficiently large to meet all normal demands for service and provide a reasonable reserve for emergencies.

The utility shall furnish the ORS with the following:

- 1) Statement by the South Carolina Department of Health and Environmental Control that the design has been approved;
- 2) Statement by the South Carolina Department of Health and Environmental Control that the utility was installed according to plans and specifications;
- 3) Statement by a professional engineer that the utility design meets his approval and the utility was installed with the approval of a professional engineer; and
- 4) Copy of "as built" plans and specifications approved by a professional engineer.

103-555. Service Pipe Connections.

A. Utility's Service Pipe--The utility shall install and maintain that portion of the service pipe from the main to the boundary line of the property being served, public road, or street under which such main may be located. The connection of the service pipe to the main must be made using appropriate wyes, saddles, or other acceptable fittings.

B. Customer's Service Pipe--The customer shall install and maintain that portion of the service pipe from the end of the utility's service pipe into the premises served. The portion of the service pipe installed and maintained by the customer shall conform to all reasonable rules and regulations of the utility. It must be constructed of approved materials and must be installed and maintained in accordance with accepted good practice and in conformance with applicable codes of governmental regulations. Each customer's service pipe shall serve no more than one customer.

C. Restrictions on Installation--A sewer service pipe shall not be laid in the same trench with water pipe unless the water service pipe is laid on a shelf on the side of the trench, not less than eighteen (18) inches above and not less than eighteen (18) inches horizontally away from the sewer pipe.

D. Inspection--If a governmental agency requires an inspection of the customer's plumbing, the utility shall not connect the customer's service pipe until it receives a notice from that governmental agency certifying that the customer's plumbing conforms to those standards set by the agency.

E. Service Pipe Connection--The utility shall be responsible for providing the location for the connection of the customer's service pipe to the utility's service pipe or the utility's main, whichever is applicable, at the utility's expense, and at no expense to the customer. The utility shall have the right to inspect the service connection to the utility service line at the time of the completion of connection, and the service may not be provided to such connection until the utility inspects the service line.

103-556. Engineering Analysis.

A. The ORS may survey anticipated extensions of sewer lines and the utility will assist in such survey and provide all pertinent data necessary to determine the cost and feasibility of extending such lines.

B. The utility shall provide the ORS access to all utility property when the ORS undertakes to verify the inventories of utility plant systems, or obtain other necessary information.

SUBARTICLE 6

INSPECTION AND TESTS

103-561. ORS Inspection and Test.

When tests are conducted by the ORS, to insure that, or determine if, the provisions of these rules are being adhered to, each utility shall assist with such tests as requested, provided such request is in accordance with all legal requirements and sanctions.

103-562. Testing Facilities.

Each utility shall make such tests as are prescribed under these rules with such frequency and in such manner and at such places as is herewith provided or as requested by ORS or as may be approved or ordered by the Commission.

103-563. Trouble Reports.

A. Each utility shall provide for the receipt of customer trouble reports at all hours and make a full and prompt investigation of all complaints. Each utility shall maintain an accurate record of trouble reports made by its customers. This record shall include appropriate identification of the customer or service affected the time, the date, and nature of the report, the action taken to alleviate the trouble or satisfy the complaint, and the date and time of trouble clearance or other disposition of the complaint. This record shall be available to the Commission and ORS upon request at any time within the period prescribed for retention of such records.

B. Provisions shall be made to clear trouble of any emergency nature at all times, consistent with the needs of customers and the personal safety of utility personnel.

C. Provisions shall be made to keep all commitments to customers. If unusual repairs are required, or other factors preclude clearing of reported trouble promptly, reasonable efforts shall be made to notify affected customers.

SUBARTICLE 7

STANDARDS AND QUALITY OF SERVICE

103-571. Interruptions of Service.

A. Each utility shall make reasonable efforts to avoid interruptions of service, but when such interruptions occur, service shall be re-established within the shortest time practicable, consistent with considerations of safety.

B. Scheduled interruptions shall be made at a time that will not cause unreasonable inconvenience to customers and shall be preceded by adequate notice to those who will be affected.

C. Each utility shall maintain records and notify the ORS of any interruption in its service in accordance with 103-514.

SUBARTICLE 8

SAFETY

103-581. Protective Measures.

A. Each utility shall exercise reasonable care to reduce the hazards to which its employees, its customers, and the general public may be subjected.

B. The utility shall give reasonable assistance to the ORS in the investigation of the causes of accidents and shall give reasonable assistance to the Commission and the ORS in the determination of suitable means of accident prevention.

C. Each utility shall maintain a summary of all reported accidents arising from its operations.

ARTICLE 7

WATER UTILITIES

SUBARTICLE 1

GENERAL

103-701. Application of Rules.

1. Jurisdiction. These rules shall apply to any person, firm, partnership, association, establishment or corporation (except public utilities owned or operated by any municipality or agency thereof and/or any water authority specifically exempted by statute) which is now or may hereafter become engaged as a public utility in the business of furnishing water to any water consumer within the State of South Carolina.

2. Purpose. These rules are intended to define good practice. They are intended to insure adequate and reasonable service. The utilities shall assist the Commission and the ORS in the implementation of these rules and regulations.

3. Waiver of Rules. In any case where compliance with any of these rules and regulations introduces unusual difficulty or where circumstances indicate that a waiver of one or more rules or regulations is otherwise appropriate, such rules or regulations may be waived by the commission upon a finding by the commission that such waiver is not contrary to the public interest.

103-702. Definitions.

The following words and terms, when used in these rules and regulations, shall have the meaning indicated below:

103-702.1. Commission.

The Public Service Commission of South Carolina.

103-702.2. Curb Stop.

Valve controlling water flow located on the utility service line. Curb stops are for the exclusive use of the utility for control of the water supply to individual customers and should be located at or adjacent to the customer's property line but should not be located on the customer's premises. The control of the water supply by the customer shall be by means of a separate valve, installed by the customer, and located on his premises.

103-702.3. Customer.

Any person, firm, partnership or corporation, or any agency of the Federal, State or Local Government, being supplied with service by a utility under the jurisdiction of this Commission. Customers shall be classified for purposes of applying rates as "residential", or "commercial", or "industrial".

103-702.4. Customer Contribution in Aid of Construction.

A fee paid by a customer under a contract entered into by and between the utility and its customers providing terms for the extension of the utility's mains to serve the customer.

103-702.5. Customer Service Line.

The portion of the distribution line that transports water from the meter, to the place of consumption on the customer's premises, or, if there is no meter, from the curb stop to the place of consumption on the customer's premises.

103-702.6. Error in Registration.

The percentage by which the correct registration varies from the meter registration. The error is derived by stopping the meter test hand at the starting point and then determining the percentage variation in registration as indicated by the working standard. The formula for determining the error in registration is:

$100 \times (\text{Meter Reading} - \text{Actual Volume})$

(Actual Volume)

A positive percentage indicates a fast meter and a negative percentage indicates the meter is slow.

103-702.7. Homeowners Association.

An association of lot owners located in a particular subdivision or development incorporated under the laws of this state as a non-profit corporation, including as one of its purposes, the operation of a water system to serve the particular subdivision or development. Each homeowners association, prior to the commencement of operations of a water system, shall file with the Commission and provide a copy to the ORS (a) a certified copy of its certificate of incorporation; (b) a copy of the corporation's bylaws; (c) a copy of any declaration of covenants, conditions and restrictions on real property in the subdivision or development filed in conjunction with the formation of the homeowners association; (d) a copy of the permit or authorization from the Department of Health and Environmental Control issued to the homeowners association to operate the utility; and (e) copies of a statement signed by each lot owner disclosing that the water services in the subdivision are provided by a non-profit homeowners association, in which each lot owner is a voting member, and that an appropriate assessment to meet operating expenses of the utility must be paid by each lot owner.

103-702.8. Main.

A water pipe owned, operated or maintained, by a utility, which is used for the purpose of transmission or distribution of water, but does not include the "utility service line" or "customer service line".

103-702.9. Meter.

Any device, or instrument, which is used by a utility in measuring a quantity of water for billing purposes. The meter will be the property of, and will be maintained by, the utility.

103-702.10 The Office of Regulatory Staff.

The executive director and employees of the Office of Regulatory Staff.

103-702.11. Premises.

A piece or tract of land or real estate, including buildings and other appurtenances thereon.

103-702.12. Rate.

The term "rate" when used in these rules and regulations means and includes every compensation, charge, toll, rental, classification, or availability fee, or any of them, including tap fees, or other non-recurring charges demanded, observed, charged, or collected by any utility for any water service offered by it to the public, and any rules and regulations, practices, or contracts affecting any such compensation, charge, toll, rental or classification. An application for approval of any rate schedule will not be accepted for filing under S.C. Code Ann., § 58-5-240 unless accompanied by the information specified under 103-712(4).

103-702.13. Tap Fee.

A non-recurring, non-refundable charge related to connecting the customer to the utility's system which includes the cost of installing the utility's service line from the main to the customer's premises and a portion of plant capacity which will be used to provide service to the new customer. Plant capacity shall be computed by using the Guidelines for Unit Contributory Loadings to Wastewater Treatment Facilities (1972) to determine the single family equivalency rating. Any privately-owned corporation, firm, partnership, or individual empowered by contract, or otherwise, to collect a tap fee from a customer for the provision of water service to that customer shall be considered a utility, and shall obtain Commission approval prior to collecting tap fees, or any other rates for water service. An application for approval of any rate change shall not be considered unless the filing contains appropriate exhibits setting forth all cost criteria justifying the tap fee, setting forth the portion of the tap fee related to installing the service line and the portion related to plant capacity.

103-702.14. Utility.

Every person, firm, partnership, association, establishment or corporation furnishing or supplying in any manner water to the public, or any portion thereof, for compensation. A "homeowners association", as defined in these rules and regulations and subject to the requirements set forth herein, upon Commission order, may be found not to be a utility.

103-702.15. Utility Service Line.

The portion of the distribution line that transports water from a main to a meter, or if there is no meter, up to and including the curb stop.

103-702.16. Water Plant.

All facilities owned by the utility for the collection, production, purification, storage, transmission, metering, and distribution of potable water.

103-703. Authorization for Rates and Charges.

A. No schedule of rates, contracts, or rules and regulations, shall be changed until after the

proposed change has been approved by the Commission.

B. All rates, contract forms, or rules and regulations, proposed to be put into effect by any utility as defined in 103-702(2), shall be first approved by this Commission before they shall become effective, unless they are exempt from such approval by statute or other provision of law.

C. No rate, contract, or rules and regulations of any utility under the jurisdiction of this Commission shall be deemed approved or consented to by the mere filing of a schedule, or other evidence thereof, in the offices of the Commission.

D. Each customer within a given classification (i.e., residential, commercial or industrial) shall be charged the same approved rate, including tap fees, as every other customer within that classification unless reasonable justification is shown for the use of a different rate or toll, and a contract or tariff setting forth the different rate has been filed and approved by the Commission through the issuance of an order or directive.

103-704. Territory and Certificates.

No existing public utility supplying water to the public, or any individual, corporation, partnership, association, establishment or firm undertaking the construction or acquisition of a utility, shall hereafter sell, acquire, transfer, begin the construction or operation of any utility system, or of any extension thereof, by the sale of stock or otherwise, without first obtaining from the commission a certificate that the sale, transfer or acquisition is in the public interest, or that public convenience and necessity require or will require construction or operation of any utility system, or extension. Such certificate shall be granted only after the applicable information set forth in Subarticle 2, 103-710 et seq., has been filed with the Commission and provided to the ORS, and after notice has been given to the Department of Health and Environmental Control and other interested water utilities, and to the public, and after due hearing; provided, however, that this regulation shall not be construed to require any existing water utility to secure a certificate for an extension within or to territory already served by it, necessary in the ordinary course of its business. But, if any water utility in constructing or extending its lines, plant or system unreasonably interferes, or is about to unreasonably interfere, with the service or system of any other utility, the commission may make such order, and prescribe such terms and conditions, in harmony with this regulation, as are just and reasonable.

103-705. Utilities Rules and Regulations.

Each utility shall adopt rules, regulations, operation procedure policies, terms and conditions, etc., as may be necessary in the operation of the utility. Such service "conditions/or regulations" shall be approved by and filed with the Commission, along with certification that these rules are consistent with the rules of the Commission and provided to the ORS.

103-706. Security Issues.

A. No utility shall issue any securities without the approval of the Commission. This rule shall not apply to any issue of securities payable within one year from the date of issue, except in case of subsequent issues made to refund short term obligations; but such short term obligations may be renewed by similar obligations without the approval of the Commission for an aggregate period not exceeding two years.

B. Any utility desiring to issue securities may apply to the Commission for approval of the proposed issue by filing an application with the Commission and serving a copy on the ORS,

together with a statement verified by (1) its president and secretary or other appropriate officers; (2) two of its incorporators, or (3) by its owner or owners, if it is unincorporated, setting forth:

- (a) The amount and character of securities proposed to be issued;
- (b) The purpose for which they are to be issued;
- (c) The consideration for which they are to be issued;
- (d) The description and estimated value of the property, if any, to be acquired through the proposed issue;
- (e) The terms and conditions of the issuance; and
- (f) The financial condition of the utility and its operations so far as relevant.

C. The Commission shall determine whether the purpose of the issue is proper; shall value the property or services, if any, to be acquired by the issue, and it shall find and determine the amount of securities reasonably necessary for the purpose for which they are to be issued. This determination shall follow such investigation as may be necessary, wherein the utility and any other interested party shall be entitled to be heard.

D. To the extent that the Commission may approve the proposed issue, it shall grant to the utility a certificate of authority stating the character of the securities and the amount reasonably necessary for the purpose for which they are to be issued; and the value of any property or services, if any, to be acquired. This certification shall not impose or imply any guaranty or obligation as to such securities on the part of the Commission.

SUBARTICLE 2

RECORDS AND REPORTS

103-710. Location of Records and Reports.

All records required by these rules are necessary for the administration thereof, shall be kept within an office located in this state, unless otherwise specifically authorized by the Commission. These records shall be available for examination by the ORS or its authorized representatives at all reasonable hours.

103-711. Retention of Records.

Unless otherwise specified by the Commission, or by regulations or Commission Orders governing specific activities, all records required by these rules shall be preserved for two years. All records related to a test year used in a rate adjustment proceeding shall be preserved for two years or throughout the period that the Order by the Public Service Commission concerning the rate adjustment may be appealed, whichever is later. Furthermore, the utility shall maintain beyond this two-year period sufficient records necessary to verify and substantiate all requirements included in these rules.

103-712. Data to be Filed with the Commission and provided to the ORS.

1. Annual Report. Each utility operating in the State shall file an annual report with the Commission and provide a copy to the ORS giving accounting, and other information as the

Commission directs

The Commission or the ORS will provide an annual report form upon request. If the utility's books are maintained on a calendar year, the annual report must be filed on or before April 1st of each year. If the utility uses a fiscal year other than December 31st, the annual report should be filed within three months after the end of the fiscal year.

2. Current Information and Documents. The utility shall file with the Commission and provide a copy to the ORS the following documents and information, and shall maintain such documents and information in a current status.

2.1. Tariff. A copy of each schedule of rates and charges for service, together with the applicable riders, including any rules and regulations or terms and conditions describing policies and practices in rendering service shall be provided to the Commission and the ORS.

2.2. Contract Forms. A copy of each special contract for service, including aid to construction agreements, and rate or toll agreements shall be provided to the Commission and the ORS.

2.3. Customer Bill. A copy of each type of customer bill form, which shall include the information which is normally shown on a customer's bill for service shall be provided to the ORS.

2.4. Operating Area Maps. A map of the utility's operating area. This map shall be revised annually and provided to the ORS unless such revision is unnecessary, in which event the utility shall notify the ORS that the map on file is current. The map should show:

- (a) Location of pumping stations, purification plants and sources of supply;
- (b) Potable water storage facilities;
- (c) Mains by size;
- (d) Location of valves and fire hydrants;
- (e) Service area clearly drawn on operating area map utilizing proper surveying standards;
- (f) Names of all communities (post offices) served;
- (g) Location of blow off valves;
- (h) Capacity of the system and;
- (i) Location of cross-connection control devices

2.5. Authorized Utility Representative. The utility shall advise the Commission and ORS of the name, title, address, and telephone number of the person who should be contacted in connection with:

- (a) General management duties;
- (b) Customer relations (complaints);

- (c) Engineering operations;
- (d) Meter test and repairs; and,
- (e) Emergencies during non-office hours.

3. Performance Bond. Prior to operating, maintaining, acquiring, expanding or improving any water utility system, for which Commission approval is required, the utility shall have on file with the Commission and provide a copy to the ORS a performance bond with sufficient surety using a format prescribed by the Commission.

3.1. Amount of Bond. The amount of bond shall be based on, but not limited to, the total amount of the following categories of expenses for twelve months: Operation and Maintenance Expenses, General and Administrative Expenses, Taxes Other Than Income Taxes, Income Taxes, and Debt Service including Interest Expenses. The minimum amount of the bond shall be \$100,000 and the maximum amount of the bond shall be \$350,000 based on the verified expenses of the utility for the preceding twelve-month period. A bond shall be required for each water and wastewater provider under the jurisdiction of the Public Service Commission. A certification that the face amount of the bond on file with the Commission complies with the provisions of 103-712.3.1 shall be filed with the annual report required by 103-712.1 of this rule. The ORS shall review the annual reports and certifications and determine whether the present bond of the utility accurately reflects the expenses of the utility. Based upon the expenses of the utility as submitted in the annual report and as reviewed and adjusted by the ORS, the ORS shall make recommendations for increasing or reducing the amount of the bond within the minimum and maximum limits as prescribed by statute.

3.2. Sureties. Sufficient surety may be any duly licensed bonding or insurance company authorized to do business in this state. A corporate surety, other than such a bonding or insurance company, shall not be considered sufficient surety.

Sufficient surety may be any individual, as stockholder, partner, sole owner, etc., in the utility, so long as the individual surety's net worth is at least twice the face amount of the performance bond.

3.3. Financial statement. When any individual acts as surety, he shall file with the Commission and provide a copy to the ORS annually a financial statement verified by said surety showing the individual surety's personal assets, liabilities and net worth. The Commission may accept a verification of the financial statement in a format prescribed by the Commission.

4. Rate Applications

A. When any utility makes application for an increase in existing rates and charges, such application shall not be accepted for filing unless it contains the following information:

- 1) A statement of reason justifying need for proposed rate adjustment;
- 2) Most current available income and expense statement for the preceding twelve months;
- 3) Proposed rate schedule;
- 4) Test year proposed to be used;

- 5) Pro forma income and expense statement using proposed rates applied to proposed test year;
- 6) Balance sheet;
- 7) Depreciation schedule by categories of plant or average service lives;
- 8) Number of present and expected customers in the following twelve months;
- 9) Cost justification for proposed rates and charges, including tap fees; with attached schedules depicting labor costs, materials costs, and miscellaneous costs.
- 10) Filing or updating performance bond in accordance with 103-712.3.
- 11) Current or updated service area map;
- 12) Statement of total plant investment by categories; and,
- 13) Most recent letter of approval from the Department of Health and Environmental Control, dated not more than six (6) months prior to date of application; and
- 14) Customer bill form; and
- 15) Any other pertinent or relevant information determined necessary by the Commission.

B. When any utility makes application for establishment of service area and rates and charges, such application shall contain the following information:

- 1) Copy of articles of incorporation or partnership agreement;
- 2) Plat of proposed area to be served;
- 3) Copy of engineering plans and specifications designed or certified to be in accordance with good engineering practices by a professional engineer registered in South Carolina;
- 4) Construction permit from the Department of Health and Environmental Control approving engineering plans and specifications;
- 5) Schedule of proposed rates and charges and cost justifications, including tap fees with attached schedules depicting labor costs, materials costs, and miscellaneous costs;
- 6) Number of customers proposed to be served and capacity of system;
- 7) Financial statement showing proposed plant investment by categories;
- 8) Depreciation schedule by categories of plant or average service lives;
- 9) Pro forma income and expense statement showing the effect of using the proposed rates based on plant capacity;
- 10) Filing of performance bond in accordance with 103-712.3.
- 11) Statement by a professional engineer that the system was built and installed according to

plans and specifications on file with the Commission and will furnish adequate service for the area to be served.

12) Letter from Department of Health and Environmental Control approving system for operation, dated not more than six (6) months prior to date of application; and,

13) Customer bill form; and

14) Other pertinent or relevant information determined necessary by the Commission .

103-713. Inspection of Plant and Equipment.

A. Each utility shall, upon request of the ORS, provide to the ORS a statement regarding the condition and adequacy of its plant, equipment, facilities, and service in such form as the Commission may require or as the ORS may request.

B. Each utility shall keep sufficient records to give evidence of compliance with its inspection program as set forth in Subarticle 6, 103-760 et seq.

103-714. Interruption of Service.

A. Each utility shall keep a record of any condition resulting in any interruption of service affecting its entire system or major division thereof, or any single community or an important division of a community, including a statement of the time, duration, and cause of any such interruption. The ORS should be notified of any interruption lasting more than six hours as soon as it comes to the attention of the utility and a complete report will be made after restoration of service.

B. Each utility shall make all reasonable efforts to prevent interruptions of service and, when such interruptions occur, shall endeavor to re-establish service with the shortest possible delay consistent with the safety of its consumers and the general public. Scheduled interruptions shall always be preceded by adequate notice to all affected customers, and will be made at a time that will not cause unreasonable inconvenience to customers.

C. All Water Utilities under the jurisdiction of the Commission shall file with the ORS in writing a notice of any violation of PSC or DHEC rules which affect the service provided to its customers. This notice shall be filed within 24 hours of the time of the inception of the violation and shall detail the steps to be taken to correct the violation, if violation is not corrected at time of occurrence. The Company shall notify the ORS in writing within 14 days after the violation has been corrected.

103-715. Accidents.

Each utility shall, as soon as possible, report to the ORS each accident happening in connection with the operation of its property, facilities, or service, wherein any person shall have been killed or seriously injured or whereby any serious property damage shall have been caused. Such first report shall later be supplemented by as full a statement provided to the ORS as is possible of the cause and details of the accident and the precautions, if any, which have been taken to prevent similar accidents.

103-719. Accounting Procedures.

All books and records of the utility shall be maintained in accordance with the NARUC Uniform System of Accounts for Class A, B and C Water Utilities to the extent applicable, and such records must be made available for examination by the ORS or its authorized representatives at all reasonable hours. Full cooperation will be provided by the utility during rate adjustment audits or compliance audits conducted by the ORS or its representatives.

SUBARTICLE 3

METERS

103-724. Meter Location.

A. All meters will be furnished, installed, owned, and maintained by the utility, and shall remain its property and be accessible to and subject to its control. Meters shall be located in accordance with good utility practices on the delivery side of the curb stop so as to control the entire water supply furnished to the premises. No meter shall be installed in any location on or off the premises where it may be unreasonably exposed to heat or cold or other cause of damage, or in an inaccessible or hazardous location.

B. Where water is furnished to the customer in accordance with a flat rate, the utility may install and maintain a meter located in accordance with good utility practices. After all customers in the utility's service area have been metered, the utility may make application to the Commission and provide a copy to the ORS to obtain approval to change from a flat rate to a metered rate. Upon such application, the ORS will conduct an investigation to determine if a utility should utilize meters and, after hearing, the Commission may order the use of metered rates. If no meters are in place, the Commission, after hearing, may order the installation of meters and the implementation of a metered rate.

C. The utility shall make available to the customer sketches of standard meter installations to demonstrate the way in which the customer's portion of the installation should be made.

D. In the event the customer desires any change in the location or position of the meter, meter box or vault, after they have been installed, such change in location shall be made by the utility at the expense of the customer.

SUBARTICLE 4

CUSTOMER RELATIONS

103-730. Customer Information.

Each utility shall:

A. Maintain up-to-date maps, plans, or records of its entire transmission and distribution systems, with such other information as may be necessary to enable the utility to advise prospective customers, and others entitled to the information, as to the facilities available for serving customers within its operating area.

B. Notify each affected customer in writing as prescribed by the Commission of any proposed change in rates and charges. A certification that the above notice requirements has been met shall be furnished to the Commission by the utility prior to the public hearing.

C. Provide that a complete schedule, contract forms, rules and regulations, etc., as filed with the Commission and provided to the ORS, shall also be on file in the local offices of the utility and shall be open to the inspection of the public.

D. Upon request, inform its customers as to the method of reading meters and as to billing procedures, and shall assist prospective customers in selecting the most economical rate schedule applicable.

E. Provide adequate means (telephone, etc.) whereby each customer can contact an authorized representative of the utility at all hours in cases of emergency or unscheduled interruptions of service.

F. Notify any customer making a complaint pursuant to 103-716 that remains unresolved after seven days, that the utility is under the jurisdiction of the Commission and the customer may notify the ORS of the complaint.

G. Inform each prospective customer from whom a deposit may be required of the provisions contained in 103-731 and its subsections.

H. Inform each prospective customer that the customer's service line shall conform to all local plumbing codes, and in the absence of such codes shall conform to the Southern Standard Plumbing Codes.

103-731.6. Unclaimed Deposits.

A record of each unclaimed deposit must be maintained for at least one year during which time the water utility shall make a reasonable effort to return the deposit. Unclaimed deposits, together with accrued interest, shall be turned over to the South Carolina State Treasurer as prescribed by law.

103-732.4. Payment by Check.

The utility at its option for good cause may refuse to accept a check tendered as payment on a customer's account, and require payment in cash or other certified funds. "Good cause must be justified by a water utility by evidencing a credit history problem or by evidencing insufficient funds with or of the utility customer or applicant. For the purposes of this regulation, the water utility may not consider indebtedness that was incurred by the customer or any member of his household more than six (6) years prior to the time of application."

103-732.7. Deferred Payment Plan.

The utility shall provide for the arrangement of a deferred payment plan to enable a residential customer to make payment by installments where such customer is unable to pay the amount due for water service. The deferred payment plan shall require the affected customer to maintain his account current and pay not less than 1/6 of the outstanding balance for a period not to exceed six months. The outstanding balance may include the late payment charge authorized by R.103-732.3. Service to such customer shall not be terminated unless the utility has informed the customer that such deferred payment plan is available. A deferred payment plan is any agreement to extend or defer a payment cut-off date by more than 5 work days. If a Customer defaults on a Deferred Payment Plan, the Utility may terminate service pursuant to 103.735.1 (H).

103-734. Applications for Service.

- A. All applications for water service may be made orally or in writing.
- B. The accepted application shall constitute a contract between the company and the applicant, obligating the applicant to pay for water service in accordance with the utility's tariff currently on file with the Public Service Commission and the ORS, and to comply with these rules and regulations.
- C. When a customer desires to have his service terminated, he must notify the utility and such notification may be orally or in writing. The utility shall be allowed a reasonable period of time after the receipt of such notice to take a final reading of the meter and to discontinue service.

103-735. Denial or Discontinuance of Service.

Service may be refused or discontinued for any of the reasons listed below. Unless otherwise stated, the customer shall be allowed a reasonable time in which to comply with the rule before service is discontinued.

- A. Without notice in the event of a condition determined by the utility, the Commission, or the Department of Health and Environmental Control to be hazardous or dangerous.
- B. Without notice in the event of customer use of equipment or service in such a manner as to affect adversely the utility's service to others.
- C. Without notice in the event of unauthorized use of the utility's service.
- D. For customer tampering with equipment furnished and owned by the utility. The customer shall make every reasonable effort to prevent tampering, and shall notify the utility immediately of any tampering with, damage to, or removal of any equipment.
- E. For violation of and/or non-compliance with the Commission's regulations governing service supplied by the utility.
- F. For failure of the customer to fulfill his contractual obligations for service and/or facilities subject to regulation by the Commission.
- G. For failure of the customer to permit the utility reasonable access to its equipment.
- H. For failure of the customer to provide the utility with a deposit as authorized by 103-731.
- I. For failure of the customer to furnish permits, certificates, and rights-of-way as necessary to obtaining service, or in the event such permissions are withdrawn or terminated.
- J. For illegal willful misuse of utility's service by the customer.
- K. For failure of the customer to comply with reasonable restrictions on the use of water, as imposed under 103-772 provided that notice has been given to the customer and that written notice has been furnished to the ORS.
- L. No water utility shall be required to furnish its water service or to continue its service to any

applicant who, at the time of such application, is indebted or any member of his household is indebted, under an undisputed bill to such water utility for water service previously furnished such applicant or furnished any other member of the applicant's household. However, for the purposes of this regulation, the water utility may not consider any indebtedness which was incurred by the applicant or any member of his household more than six (6) years prior to the time of application.

M. The utility may discontinue a customer's service should that customer be in arrears on an account for service at another premise, unless the customer pays a reasonable amount of his arrears account and makes reasonable arrangements with the utility to amortize the balance of such past-due account over a reasonable length of time, not to exceed 12 months.

N. The customer's use of the utility's service conflicts with, or violates order, ordinances or laws of the State, or any subdivision thereof or the Commission.

103-735.1. Procedures for Termination of Service.

(A) Service may be terminated for non-payment of a bill, provided that the water utility has made a reasonable attempt to effect collection and has given the customer written notice, sent by regular mail to the customer's billing address, that he has ten days in which to make settlement on his account or have his service disconnected. Service will be terminated only on Monday through Thursday between the hours of 8:00 A.M. and 4:00 P.M., unless provisions have been made to have someone available to accept payment and reconnect service.

(B) Service may be terminated for non-payment of any connection charge properly imposed by the utility and owed by the customer provided that the utility has made a reasonable attempt to effect collection and has given the customer 30 days written notice, sent by certified mail to the customer's billing address, with a copy forwarded to the ORS: A connection charge owed by a third party or a previous occupant or owner of premises is not deemed to be owed by the current customer, and that current customer's service may not be disconnected under such circumstances. At the expiration of the 30 day period, the utility shall post a second notice by certified mail to the customer advising that in not less than 10 days nor more than 30 days, his service may be disconnected at any time without further notice.

103-737. Right of Access.

1. The authorized agents of the utility shall have the right of access to the premises supplied with water, at reasonable hours, for the purpose of maintenance and reading of meters, examining fixtures, protective device and pipes, observing the manner of using water, and for any other purpose which is proper and necessary in the conduct of the utility's business.

2. When a water line which is property of a utility is on the property of a resident in the utilities' service area which is on file with the ORS, the resident shall provide reasonable access to the utility for the maintenance thereof. Any damage done to the property by the utility shall be corrected by the restoration of comparable grass, shrubbery and trees from nursery stock to conform the condition before the maintenance process began.

103-738. Customer Complaints.

A. Complaints concerning the charges, practices, facilities, or service of the utility shall be investigated promptly and thoroughly. The utility shall keep records of customer complaints as

will enable it and the ORS to review and analyze its procedures and actions. All customer complaints shall be processed by the utility pursuant to 103-716 and 103-730.F.

B. When the ORS has notified the utility that an oral complaint has been received concerning a specific account and the ORS has received notice of the complaint before service is terminated, the utility shall not discontinue the service of that account until the ORS's investigation is completed and the results have been received by the utility. Service shall not be discontinued if the complainant requests in writing a hearing before the Commission.

103-739. Tariffs, Rules and Regulations.

A copy of the utility's tariffs as filed with the Commission and provided to the ORS shall be on file in the local business offices of the utility and shall be available for public inspection.

103-743. Contracts.

No utility shall execute or enter into any agreement or contract with any person, firm, partnership, or corporation or any agency of the Federal, state, or local government which would impact, pertain to, or effect said utility's fitness, willingness, or ability to provide water service, including but not limited to the treatment of said water, without first submitting said contract in form to the Commission and the ORS and obtaining approval of the Commission.

SUBARTICLE 5

ENGINEERING

103-752. Acceptable References.

Unless otherwise specified by the Commission, the utility shall use the applicable provisions in the publications listed below as operational requirements, where applicable, and standards of accepted good practice.

- (a) The most current edition of Community Water Systems, Ameen
- (b) Manual of Individual Water Systems E.P.A. No. 430 or the most current E.P.A. edition

103-756. Engineering Analysis.

A. The ORS or its authorized representatives may survey anticipated extensions of water line and the utility will assist in such survey and provide all pertinent data necessary to determine cost and feasibility of extending such lines.

B. The utility shall assist in the verification of tests of water meters made by ORS or its authorized representative.

C. The utility shall provide the ORS and its representatives access to all utility property when the ORS undertakes to verify inventories of utility plant systems, or obtain other necessary information.

SUBARTICLE 6

INSPECTION AND TESTS

103-760. Utility Inspections and Tests.

A. Each utility shall, unless specifically excused by the Commission, provide such laboratory, meter-testing equipment and other equipment and facilities as may be necessary to make the tests required of it by these rules or other orders of the Commission. The apparatus and equipment so provided shall be subject to the approval of the Commission, and it shall be available at all times for the inspection of any member or authorized representative of the ORS.

B. Upon request by a customer and at no charge, the utility shall make a test of the meter serving him, provided that such tests need not be made more frequently than once in 24 months.

1) The customer, or his representative, may be present when his meter is tested.

2) A report of the results of the test shall be made to the customer within a reasonable time after the completion of the test, and a record of the report, together with a complete record of each test, shall be kept on file at the office of the utility.

103-761. ORS Inspection and Tests.

The ORS shall make tests of meters as follows:

(a) Upon written application to the ORS by a customer or a utility, a test will be made of the customer's meter as soon as practicable.

(b) On receipt of such request the ORS will notify the utility and the utility shall not knowingly remove or adjust the meter until instructed by the ORS. The utility shall furnish to the ORS's representative such reasonable assistance as may be required to make the test.

(c) The customer, or his representatives, may be present when his meter is tested.

(d) The ORS will make a written report of the results of the test to the customer and to the utility.

103-763. Facilities and Equipment for Testing.

Each utility shall maintain or designate a meter shop for the purpose of inspecting, testing and repairing meters. The shop shall be open for inspection by authorized representatives of the ORS at all reasonable times, and the facilities and equipment, as well as the methods of measurement and testing employed, shall be subject to the approval of the Commission. The accuracy of the test equipment and test procedures shall be such that the overall error will not exceed 0.3 of 1%.

1. Working Standards.

A. Each meter shop maintained or designated by a utility shall have at least one calibrated tank available for volumetric measurement or a tank mounted upon scales for weight measurement. The tank shall be of sufficient capacity to insure an acceptable determination of the accuracy of the utility's meters.

B. The utility may use a portable test meter, approved by the Commission for use as a standard, for the purpose of testing meters.

C. Reasonable care must be exercised in the use and handling of standards to assure that their accuracy is not disturbed. Each standard shall be accompanied at all times by a certificate or calibration card, duly signed and dated, on which are recorded the corrections required to compensate for errors found at the customary test points at the time of the last previous test.

2. Meter Prover. The accuracy of all provers and methods of operating them will be established from time to time by a representative of the ORS. All alterations, accidents, or repairs which might affect the accuracy of any meter prover or the method of operating it shall be promptly reported in writing to the ORS.

SUBARTICLE 7

STANDARDS AND QUALITY OF SERVICE

103-771. Interruptions of Service.

A. Each utility shall make reasonable efforts to avoid interruptions of service, but when interruptions occur, service shall be re-established within the shortest time practicable, consistent with considerations of safety.

B. Scheduled interruptions shall be made at a time that will not cause unreasonable inconvenience to customers and shall be preceded by adequate notice to those who will be affected.

C. Each utility shall maintain records and notify the ORS of any interruption in its service in accordance with 103-714.

D. If an interruption affects the service of any public fire protection system, the utility shall immediately notify the public official responsible for fire protection.

E. When the system pressure is provided through mechanical means, emergency standby pumping equipment or other adequate facilities shall be available to maintain pressure in the mains in the event of failure of the primary pumping facilities.

103-772. Restrictions of the Use of Service.

A. The utility may impose reasonable restrictions on the outdoor use of water during period of shortage of supply, excessive demand or other difficulty which jeopardizes the supply of water to any group of customers.

B. The utility may impose reasonable restrictions on the use of water by customers who use large quantities of water and thereby create conditions which prevent the company from supplying satisfactory service to that customer, or to other customers.

C. If a utility finds that it is necessary to restrict the use of water, it shall notify the customers, and give the Commission and ORS written notice before such restriction becomes effective, except in the event of an emergency, when such notification may be made by telephone. Such notifications shall specify:

1) The reason for the restriction.

2) The nature and extent of the restriction, (e.g., on outdoor use of water, use by certain classes of

customers, etc.).

3) The date such restriction is to go into effect.

4) The probable date of termination of such restriction.

103-773. Pressure Tests.

A. Each utility having more than 100 customers must have at least one portable recording pressure gauge available.

B. Pressure measurements should be made at the customer's meter, or if no meter, customer's curb stop. If no outlet is available at this point, then the measurement may be made at the nearest available outlet, making due allowance for any pressure differential between the point of measurement.

C. Each utility shall make a sufficient number of pressure measurements in order to determine if pressures throughout the system are in compliance with the requirements of 103-774.

D. Each utility shall keep records of each test of pressures. These records shall include, as a minimum, the date, time, and location where the test was conducted. Pressure records shall be retained by the utility for at least two years and shall be made available for inspection by the ORS at all reasonable times.

SUBARTICLE 8

SAFETY

103-781. Protective Measures.

A. Each utility shall exercise reasonable care to reduce the hazards to which its employees, its customers, and the general public may be subjected.

B. The utility shall give reasonable assistance to the ORS in the investigation of the cause of accidents and shall give reasonable assistance to the Commission and the ORS in the determination of suitable means of accident prevention.

C. Each utility shall maintain a summary of all reported accidents arising from its operations.